

**Introduced by Senator Vincent**

March 11, 2003

---

An act to add Section 2403 to the Business and Professions Code, relating to medicine.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1071, as introduced, Vincent. Medical practice exemption.

Existing law, the Moscone-Knox Professional Corporation Act, provides for the formation of a corporation under the General Corporation Law for the purposes of qualifying as a professional corporation that is engaged in rendering professional services in a single profession, and permits a professional corporation to render professional services through persons who are licensed in the profession. Existing law makes a person who practices or attempts to practice, or who advertises or holds himself or herself out as practicing, any system or mode of treating the sick or afflicted in this state, or who diagnoses, treats, operates for, or prescribes for a person without being certified or otherwise authorized to do so, guilty of a crime.

This bill would exempt from the above requirements and prohibitions a person acting as a service in scheduling patients for diagnostic imaging tests as long as the person does not make or interfere with any medical judgment regarding which test or tests a patient will receive.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.



*The people of the State of California do enact as follows:*

1     SECTION 1. Section 2403 is added to the Business and  
2     Professions Code, to read:  
3     2403. The provisions of Sections 2052 and 2400, and the  
4     Moscone-Knox Professional Corporation Act (Part 4  
5     (commencing with Section 13400) of Division 3 of Title 1 of the  
6     Corporations Code) do not apply to a person acting as a service in  
7     scheduling patients for diagnostic imaging tests from a list of  
8     diagnostic imaging testing sites provided by the person, including  
9     providing logistical and support services such as diagnostic  
10    imaging license and minimum standards maintenance and  
11    facilitation of independent physician review of diagnostic imaging  
12    test results, as long as the person does not make or interfere with  
13    any medical judgment regarding which test or tests a patient will  
14    receive.

O

